

present specification. The rejection of claim 4, which has been cancelled, is moot.

Withdrawal of the 35 U.S.C. §112, second paragraph rejection is requested.

Claims 1, 3 and 5 stand rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,069,651 to Tsuyuki et al. This rejection is respectfully traversed.

Since claim 1 has been cancelled and claim 3 now depends from claim 2 (which was not rejected under 35 U.S.C. §102 in view of Tsuyuki et al.), this rejection is moot with respect to claims 1 and 3.

Applicant respectfully submits that Tsuyuki et al. does not disclose all features recited in independent claim 5. In particular, Tsuyuki et al. does not disclose or suggest an optical filter having a stage formed at least at a portion of an external circumference of the optical filter, which stage is utilized to hold the optical filter with a holding member. See, for example, page 15, line 21 - page 16, line 16 of the specification, which provides some examples of stages formed at portions of an external circumference of the optical filter. The Tsuyuki et al. device does not have the claimed stage.

Withdrawal of the rejection is requested.

Claims 2 and 4 stand rejected under 35 U.S.C. §103(a) over Tsuyuki et al. in view of U.S. Patent No. 5,548,373 to Ueda. This rejection is respectfully traversed.

While Ueda discloses filters 15 and 16, which are illustrated as having different sizes, these are separate filters. Ueda does not disclose or suggest an optical filter having a plurality of filter layers including at least a first filter layer and a second filter layer which are laminated with each other, and having a stage formed at least at a portion of the external circumference of the optical filter by varying a size of a surface of the first filter layer with respect to a size of the surface of the second filter layer. Accordingly, the combination of Tsuyuki et al. and Ueda does not suggest the combination of features recited in independent claim 2, or the claims that depend therefrom.

Claim 6 stands rejected under 35 U.S.C. §103(a) over Tsuyuki et al. in view of U.S.

Patent No. 4,302,078 to Stravitz. This rejection is respectfully traversed.

Stravitz does not provide the deficiencies noted above in Tsuyuki et al. with respect to claim 5. Accordingly, claim 6 is patentable at least for the reasons set forth above with respect to independent claim 5.

Claims 7-11 are patentable at least in view of their dependence from independent claims 2 or 5, as well as for the features recited therein.

In view of the foregoing, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

Should the Examiner believe anything further would be desirable to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Mario A. Costantino
Registration No. 33,565

JAO:MAC/ccs

Attachments:

Appendix
Petition for Extension of Time

Date: March 26, 2001

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
--



Changes to Claims:

Claims 1 and 4 are canceled.

Claims 7-11 are added.

Claims 2, 3 and 5 are amended.

The following are marked-up versions of the amended claims:

2. (Amended) An optical filter ~~according to claim 1, wherein~~ that is provided at an optical path between a photoelectric conversion device which converts a subject image formed at a light-receiving surface thereof to an electrical signal and an optical system which forms the subject image with a light flux from the subject at said photoelectric conversion device, to filter the light flux, comprising:

a plurality of filter layers that are laminated along a direction of an optical axis of the light flux that passes through the optical filter, the plurality of filter layers including at least a first filter layer and a second filter layer which are laminated with each other; and

~~said stage is formed~~ a stage formed at least at a portion of an external circumference of the optical filter by varying a size of a surface of at least one said first filter layer along a direction perpendicular to the optical axis of the passing light flux from a size of a surface of another said second filter layer along a direction perpendicular to the optical axis.

3. (Amended) An optical filter according to claim ~~1~~ 2, wherein:

said stage is utilized to hold the optical filter.

5. (Amended) An optical device comprising:

a photoelectric conversion device that converts a subject image formed at a light-receiving surface thereof to an electric signal;

RECEIVED
MAR 28 2001
FC 2800 MAIL ROOM

an optical system that forms the subject image with a light flux from a subject at the light-receiving surface of said photoelectric conversion device;

an optical filter that is provided on an optical path between said photoelectric conversion device and said optical system to filter the light flux; and

a holding member that holds said optical filter, wherein:

said optical filter comprises a stage formed ~~at~~, at least, at a portion of an external circumference of the optical filter and said stage is utilized to hold said optical filter ~~element~~ with said holding member.